

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

VISUAL COMFORT OF AMERICA LLC;	§	
SUZANNE KASLER INTERIORS INC.;	§	
TOB INTERNATIONAL MARKETING CORP.;	§	
ERIC COHLER DESIGN INCORPORATED;	§	
EARLE F. CHAPMAN;	§	
J. RANDALL POWERS ID, INC.; and	§	
GORALNICK DESIGN, LLC,	§	
	§	
Plaintiffs,	§	Civil Action No. 3:15-cv-02119-D
	§	
v.	§	Jury Trial Demanded
	§	
ELEGANT FURNITURE & LIGHTING, INC.;	§	
TODD E. PAWLOWSKI;	§	
WHOLESALE SPECIFIERS, INC.;	§	
STEVE RICCI; and	§	
RICCI SALES AGENCY LLC,	§	
	§	
Defendants.	§	

JOINT MOTION TO DISMISS WITH PREJUDICE

Plaintiffs Visual Comfort of America LLC, Suzanne Kasler Interiors, Inc., TOB International Marketing Corp., Eric Cohler Design Incorporated, Earle F. Chapman, J. Randall Powers ID, Inc., and Goralnick Design, LLC and Defendants Elegant Furniture & Lighting, Inc., Todd E. Pawlowski, Wholesale Specifiers, Inc., Steve Ricci, and Ricci Sales Agency, LLC (Defendants and Plaintiffs will be collectively referred to as the “Parties”) have resolved their dispute and move the Court to enter an order dismissing with prejudice all claims and causes of action asserted or that could have been asserted by the Parties in the above-styled lawsuit. The Parties further agree that each of the Parties shall pay their own attorneys’ fees, costs, and

expenses incurred in this lawsuit. In addition, the Parties respectfully request that the Court enter an order in the form attached hereto as Exhibit A.

Respectfully submitted,

/s/ Daniel M. Branum

Janet E. Militello

Texas State Bar No. 14051200

jmilitello@lockelord.com

Brandon F. Renken

Texas State Bar No. 24056197

brenken@lockelord.com

Daniel M. Branum

Texas State Bar No. 24064496

dbranum@lockelord.com

Locke Lord LLP

600 Travis Street

Suite 2800

Houston, Texas 77002

Phone: (713) 226-1200

Facsimile: (713) 223-3717

**ATTORNEYS FOR PLAINTIFFS VISUAL
COMFORT OF AMERICA, LLC, ET AL**

/s/ Michael D. Pegues

Michael D. Pegues

Texas State Bar No. 15730600

mpegues@polsinelli.com

Polsinelli PC

2950 N. Harwood St., Ste. 2100

Dallas, Texas 75201

Phone: 214-397-0030

**ATTORNEYS FOR DEFENDANTS ELEGANT
FURNITURE & LIGHTING, INC., TODD E.
PAWLOWSKI, WHOLESALE SPECIFIERS, INC.,
STEVE RICCI AND RICCI SALES AGENCY LL**

CERTIFICATE OF SERVICE

I certify that on January 20th, 2016, I filed this document using the Court's Electronic Case Filing ("ECF") system, which will automatically deliver a notice of electronic filing to counsel of record for all parties, who are registered ECF users. Delivery of such notice of electronic filing constitutes service of this document as contemplated by Rule 5 of the Federal Rules of Civil Procedure. *See* LR 5.1.

/s/ Daniel M. Branum

EXHIBIT A

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

VISUAL COMFORT OF AMERICA LLC;	§	
SUZANNE KASLER INTERIORS INC.;	§	
TOB INTERNATIONAL MARKETING CORP.;	§	
ERIC COHLER DESIGN INCORPORATED;	§	
EARLE F. CHAPMAN;	§	
J. RANDALL POWERS ID, INC.; and	§	
GORALNICK DESIGN, LLC,	§	
	§	
Plaintiffs,	§	Civil Action No. 3:15-cv-02119-D
	§	
v.	§	Jury Trial Demanded
	§	
ELEGANT FURNITURE & LIGHTING, INC.;	§	
TODD E. PAWLOWSKI;	§	
WHOLESALE SPECIFIERS, INC.;	§	
STEVE RICCI; and	§	
RICCI SALES AGENCY LLC,	§	
	§	
Defendants.	§	

ORDER GRANTING JOINT MOTION TO DISMISS WITH PREJUDICE

Having considered the Joint Motion of Plaintiffs Visual Comfort of America LLC, Suzanne Kasler Interiors, Inc., TOB International Marketing Corp., Eric Cohler Design Incorporated, Earle F. Chapman, J. Randall Powers ID, Inc., and Goralnick Design, LLC and Defendants Elegant Furniture & Lighting, Inc., Todd E. Pawlowski, Wholesale Specifiers, Inc., Steve Ricci, and Ricci Sales Agency, LLC (Defendants and Plaintiffs will be collectively referred to as the “Parties”), the Court **GRANTS** such motion and enters this Order:

It is therefore, **ORDERED, ADJUDGED, AND DECREED** that all claims that were brought or could have been brought by the Parties are dismissed with prejudice and all costs, expenses, and attorney fees are taxed against the party incurring same;

It is further **ORDERED, ADJUDGED, AND DECREED** that all relief not previously granted is hereby denied; and

It is further **ORDERED** that the case is **CLOSED**.

SIGNED on the _____ day of _____, 2016.

JUDGE PRESIDING